

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**ROBIN REESE, individually and on behalf of
all others similarly situated,**

Plaintiff,

V.

**ODWALLA, INC. AND THE COCA-COLA CO.,
Defendants.**

Case No.: 13-CV-947 YGR

**ORDER DIRECTING PARTIES TO FILE
SUPPLEMENTAL BRIEFING ON EFFECT OF
FDA REOPENING OF COMMENT PERIOD ON
PENDING MOTION TO DISMISS**

On March 4, 2014, Defendant Odwalla, Inc. filed a letter notifying the Court of a recent development in official guidance of the U.S. Food and Drug Administration (“FDA”) concerning the use of the term “evaporated cane juice.” The letter attached a copy of the FDA’s public announcement.

On March 6, 2014, Plaintiff filed a response to that letter and requested leave to submit a letter brief addressing the implications of the notice for Plaintiff's complaint here.

The parties are directed to file supplemental briefs of no more than **six (6)** pages addressing the effect of the FDA action on Plaintiff's claims and the pending motion to dismiss no later than **March 14, 2014**. No rebuttal briefing will be permitted without further order of the Court.

IT IS SO ORDERED.

Date: March 6, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE